

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AKOBI SCHUSTER,

Plaintiff,

v.

CHARTER COMMUNICATIONS, INC.,

Defendant.

No. 18-CV-1826 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On April 8, 2021, Judge Sullivan, to whom this case was previously assigned, entered a “filing injunction against [Plaintiff] Schuster for all claims based on (1) the facts alleged in his complaint or (ii) the alleged misconduct of Charter’s counsel through Schuster’s various litigation proceedings.” ECF No. 50 at 20, 24. Judge Sullivan defined the “scope” of the filing injunction as any filings in any tribunal relating to or arising from (i) the cable box incident alleged in Schuster’s complaint, as well as Charter’s alleged response to that incident or Schuster’s OSHA claims; or (ii) any of Charter’s conduct in defending against Schuster’s previous actions – so long as such filings include allegations against any person or entity that encountered Schuster in any capacity throughout this federal litigation (including Charter and Charter’s counsel).

Id. at 24.

Judge Sullivan recently observed that, “[i]n the three years since” he entered the injunction, “Schuster has filed over two dozen letters requesting[] permission under the Filing Injunction to file, in various tribunals, various complaints, grievances, and petitions relating to this underlying litigation.” ECF No. 120 at 1. Accordingly, Judge Sullivan, in an Order of August 12, 2024, reiterated that the filing injunction would remain in place. *See id.* at 4.

This case was reassigned to this Court on August 14, 2024.

On August 16, 2024, Plaintiff filed a “Request to File under the Filing Injunction Leave to

File a Complaint” via mail. *See* ECF No. 121.¹ In this latest submission, Plaintiff requests leave to file “a Complaint Against Jose Delarosa with the U.S. Attorney’s Office for Violating . . . 18 U.S.C. [§] 242, for colluding with Employment/Labor Attorney Kenneth Margolis to Have a Valid FMLA Complaint Against Charter Communications Wrongfully Dismissed in Order to Cover Up Charter Communications[’] Multiple FMLA violations.” ECF No. 121 at 1.

Plaintiff’s application is denied. The proposed complaint falls squarely within the scope of the filing injunction, which includes both “the cable box incident alleged in Schuster’s complaint, as well as Charter’s alleged response to that incident or Schuster’s OSHA claims” and “any of Charter’s conduct in defending against his previous actions.” *See* ECF No. 50 at 24. Plaintiff’s allegations against Jose Delarosa, moreover, are neither “new or meritorious.” ECF 50 at 23. Indeed, Judge Sullivan previously denied, *see* ECF No. 66 at 4–5, Plaintiff’s request for “permission to file under filing injunction to appeal the Solicitor General of the Department of Labor and Secretary of Labor to Correct the Wages and Hours report that include[s] false and defamatory subject matter against Mr. Schuster,” which included Schuster’s request “that he be allowed to submit [his] concerns to the U.S. Department of Labor to have Jose Delarosa’s report reviewed and removed or updated to only include the facts as its current state is a false and unfavorable account of events,” ECF No. 57 at 1; 17 ¶ 74.

Lastly, as did Judge Sullivan in his Order of August 12, 2024, *see* ECF No. 120 at 6, the Court warns Mr. Schuster that additional, frivolous filings may result in the imposition of further sanctions, including monetary penalties or the summary denial of all future requests for leave to file under the injunction.

¹ The request was entered on the docket on August 22, 2024. *See* ECF No. 121.

The Clerk of Court is respectfully directed to close the motion pending at ECF No. 121.

SO ORDERED.

Dated: August 28, 2024
New York, New York



Ronnie Abrams
United States District Judge